

AMENDED IN ASSEMBLY MARCH 13, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1587

Introduced by Assembly Member Galgiani

February 6, 2012

An act to add Section 103628.8 to the Health and Safety Code, and to add Section 18968.7 to the Welfare and Institutions Code, relating to vital records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1587, as amended, Galgiani. Vital records: fees: San Joaquin County.

Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates. Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

Additionally, existing law authorizes certain counties, upon making certain findings and declarations, to authorize an increase in fees for marriage licenses and confidential marriage licenses and for certified copies of certain vital records, as specified. Existing law requires the revenue from these increased fees to be allocated for purposes relating to domestic violence prevention, intervention, and prosecution.

This bill would authorize the San Joaquin County Board of Supervisors, upon making findings and declarations regarding the need for governmental oversight and coordination of the multiple agencies dealing with child abuse, to authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records up to a maximum of \$2 per record and to annually

adjust that amount for inflation. This bill would require the fees to be allocated to the Children's Services Coordinating Commission and to Court Appointed Special Advocates (CASAs), as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Joaquin.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 103628.8 is added to the Health and
2 Safety Code, to read:

3 103628.8. (a) (1) The San Joaquin County Board of
4 Supervisors, upon making findings and declarations for the need
5 for governmental oversight and coordination of the multiple
6 agencies dealing with child abuse, may authorize an increase in
7 the fees for certified copies of marriage certificates, birth
8 certificates, fetal death records, and death records, up to a
9 maximum increase of two dollars (\$2) per record. The fees shall
10 be allocated pursuant to Section 18968.7 of the Welfare and
11 Institutions Code.

12 ~~(b)~~

13 (2) Effective July 1 of each year, the San Joaquin County Board
14 of Supervisors may authorize an increase in these fees by an
15 amount equal to the increase in the Consumer Price Index for the
16 San Francisco metropolitan area for the preceding calendar year,
17 rounded to the nearest ~~one-half dollar (\$0.50)~~ whole dollar. The
18 fees shall be allocated pursuant to Section 18968.7 of the Welfare
19 and Institutions Code.

20 ~~(c)~~

21 ~~(b)~~ In addition to the fees prescribed by subdivisions (a) and
22 ~~(b)~~, any other fees prescribed by law, an applicant for a
23 certified copy of a birth certificate, a fetal death record, or a death
24 record in San Joaquin County shall pay ~~an additional fee~~ the fees
25 specified in subdivision (a) to the local registrar, county recorder,
26 or county clerk, as applicable, as established by the San Joaquin
27 County Board of Supervisors.

28 SEC. 2. Section 18968.7 is added to the Welfare and
29 Institutions Code, to read:

1 18968.7. (a) The San Joaquin County Board of Supervisors
2 shall direct the local registrar, county recorder, and county clerk
3 to deposit fees collected pursuant to Section 103628.8 of the Health
4 and Safety Code into a special fund. Proceeds from the fund shall
5 be allocated as follows:

6 (1) One-half of the fees shall be allocated to the Children's
7 Services Coordinating Commission established by the board of
8 supervisors in compliance with Article 2 (commencing with Section
9 18982) of ~~chapter~~ Chapter 12.5.

10 (2) One-half of the fees shall be allocated to Court Appointed
11 Special Advocates (CASA) of San Joaquin County, established in
12 accordance with Chapter 1 (commencing with Section 100) of Part
13 1 of Division 2 ~~of the Welfare and Institutions Code~~, for the
14 purposes of assisting foster children.

15 (b) The county may retain up to 4 percent of the *special* fund
16 *proceeds* for administrative costs associated with the collection
17 and segregation of the additional fees and the deposit of these fees
18 into the special fund.

19 SEC. 3. The Legislature finds and declares that a special law
20 is necessary and that a general law cannot be made applicable
21 within the meaning of Section 16 of Article IV of the California
22 Constitution because of the unique circumstances in San Joaquin
23 County with respect to child abuse.